

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
PAYWARD VENTURES, INC.,  
Defendant.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No. 23-mc-80029-JCS

**ORDER FOR UNITED STATES TO  
COMPLY WITH CIVIL LOCAL RULE  
79-5 GOVERNING THE FILING OF  
SEALED DOCUMENTS**

The United States has filed its Reply brief, in redacted form, on the Order to Show Cause that is set for hearing on May 19, 2023. Dkt. no. 21. It has also filed a notice informing the Court that its redactions are based on the material Defendant has redacted from its Opposition brief and are not “a concession that these documents are properly sealed or that Payward’s redactions are appropriate.” Dkt. no. 22. The United States has objected to Defendant’s motion to seal, dkt. no.19, which the Court has not yet ruled on.

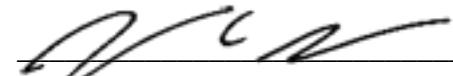
Pursuant to Civil Local Rule 79-5(b), “[a] party **must** file a motion to seal a document at the same time that the party submits the document.” Civ.L.R. 79-5(b)(emphasis added). That rule explains that “[f]iling a motion to seal permits the party to provisionally file the document under seal, pending the Court’s ruling on the motion to seal.” *Id.* Where a party seeks to file a document under seal based on another party’s designations, the procedures set forth in Rule 79-5(f) apply, requiring the filing party to file an Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed. Civ.L.R. 79-5(f).

While the United States has filed its Reply brief in redacted form, it has not followed the procedures set forth above or provided the Court with the unredacted version of its brief. Accordingly, the United States is requested to promptly comply with the Court’s rules governing

1 the filing of sealed documents, including filing the appropriate administrative motion and  
2 providing the Court with its unredacted reply brief.

3 **IT IS SO ORDERED.**

4 Dated: May 5, 2023

5   
6 JOSEPH C. SPERO  
7 United States Magistrate Judge

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
United States District Court  
Northern District of California